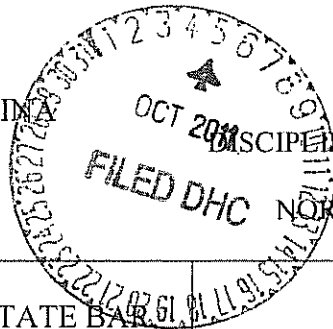


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF THE  
NORTH CAROLINA STATE BAR  
11 DHC 24

THE NORTH CAROLINA STATE BAR

Plaintiff

v.

WILLIAM A. ANTHONY, III and  
EDGAR F. BOGLE, Attorneys,

Defendants

COMPLAINT

Plaintiff, complaining of Defendants, alleges and says:

1. Plaintiff, the North Carolina State Bar ("State Bar"), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

2. Defendant, William A. Anthony, III ("Anthony"), was admitted to the North Carolina State Bar in 1996 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

3. Defendant, Edgar F. Bogle ("Bogle"), was admitted to the North Carolina State Bar in 1995 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

Upon information and belief:

4. During all or part of the relevant periods referred to herein, Anthony and Bogle were engaged in the practice of law in the State of North Carolina and maintained a law office in Gastonia, Gaston County, North Carolina.

5. At various times since at least 2003, Anthony and Bogle failed to conduct quarterly reconciliations of their firm's trust account, failed to maintain ledgers for each client for whom funds were received in the trust account, failed to identify the client

and/or the source of funds for deposits, and failed to provide written accountings to clients with funds in the trust account for more than twelve months.

6. On occasion in 2009, Anthony and Bogle would allow clients to pay advance fees to their trust account with a credit card. The credit card company charged a processing fee per transaction which was automatically withdrawn from their trust account. Anthony and Bogle failed to continually maintain sufficient firm funds in the trust account from which such transaction fees could be paid. The transaction fees at times inadvertently used entrusted funds in the trust account. The charges were subsequently promptly reimbursed to the trust account from office funds.

THEREFORE, Plaintiff alleges that Defendants' foregoing actions constitute grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Defendants violated the Rules of Professional Conduct in effect at the time of the conduct as follows:

(a) By failing to conduct quarterly reconciliations of their firm's trust account, failing to maintain ledgers for each client for whom funds were received in the trust account, failing to identify the client and/or the source of funds for deposits, and failing to provide written accountings to clients with funds in the trust account for more than twelve months, Defendants failed to follow appropriate trust account recordkeeping procedures in violation of Rule 1.15-3(b)(1), (d)(1), and (e); and

(b) By failing to maintain sufficient firm funds in the trust account to cover processing charges withdrawn from the trust account, Defendants failed to properly maintain entrusted funds in violation of Rule 1.15-2(a) and allowed entrusted funds to be disbursed in a manner not authorized by or for the benefit of the client in violation of Rule 1.15-2(m).

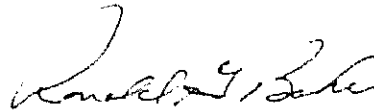
WHEREFORE, Plaintiff prays that:

(1) Disciplinary action be taken against Defendants in accordance with N.C. Gen. Stat. § 84-28(a) and § .0114 of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C.A.C. 1B § .0114), as the evidence on hearing may warrant;

(2) Defendant be taxed with the administrative fees and costs permitted by law in connection with this proceeding; and

(3) For such other and further relief as is appropriate.

The 5<sup>th</sup> day of October 2011.



---

Ronald G. Baker, Sr., Chair  
Grievance Committee



---

Jennifer A. Porter  
Deputy Counsel  
State Bar No. 30016  
The North Carolina State Bar  
P.O. Box 25908  
Raleigh, NC 27611  
919-828-4620

Attorney for Plaintiff